

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NORTH DAKOTA

In re: § Chapter 7  
§  
Pro-Mark Services, Inc. § Case No. 24-30167  
§  
Debtor. §  
§  
§  
§  
§ Erik A. Ahlgren, as Chapter 7 Trustee of the §  
Bankruptcy Estate of Pro-Mark Services, Inc., as §  
Administrator of the Pro-Mark Services, Inc. §  
Employee Stock Ownership Plan, and as Trustee §  
of the Pro-Mark Services, Inc. Employee Stock §  
Ownership Trust, §  
§  
§ Plaintiff, §  
§  
v. § Adversary No. 24-07014  
§  
§ Connie Berg, Kyle Berg, Connie Berg Revocable §  
Living Trust, Kyle R. Berg Revocable Living §  
Trust, Chad DuBois, Mandy Grant, and Miguel §  
Paredes, §  
§  
§ Defendants. §

**MOTION FOR ADMISSION *PRO HAC VICE* OF AIMEE FURNESS AS COUNSEL FOR  
DEFENDANTS CONNIE BERG, KYLE BERG, THE CONNIE BERG REVOCABLE  
LIVING TRUST AND THE KYLE R. BERG REVOCABLE LIVING TRUST**

Connie Berg, Kyle Berg, the Connie Berg Revocable Living Trust and the Kyle R. Berg Revocable Living Trust (collectively, the “Berg Defendants”), by and through their undersigned counsel and in compliance with Rule 9010-2B of the Local Rules of the Bankruptcy Court for the District of North Dakota (the “Local Rules”) hereby submit this *Motion for Admission Pro Hac Vice of Aimee Furness as Counsel for Connie Berg, Kyle Berg, the Connie Berg Revocable Living Trust and the Kyle R. Berg Revocable Living Trust* (the “Motion”), and in support thereof represent as follows:

1. The Berg Defendants have retained Haynes and Boone, LLP ("Haynes Boone") to represent them as their counsel of record in the above-referenced proceeding.

2. Ms. Furness is a partner with Haynes Boone, and is a member in good standing of the bars of the State of Texas since 2000, the State of New York since 2007, and the State of New Mexico since 2016. A Certificate of Good Standing from the State Bar of Texas is attached hereto as **Exhibit A**. A Certificate of Good Standing from the State Bar of New York is attached hereto as **Exhibit B**. A Certificate of Good Standing from the State Bar of New Mexico is attached hereto as **Exhibit C**. Ms. Furness is currently admitted to practice in the following courts: United States Court of Appeals for the Fifth Circuit since 2011, United States District Court for the Northern District of Texas since 2001, the United States District Court for the Southern District of Texas since 2006, the United States District Court for the Eastern District of Texas since 2003, the United States District Court for the Western District of Texas since 2003 and the United States District Court for the Southern District of New York since 2018

3. Ms. Furness has never been the subject of a disciplinary action by the bar or courts any state.

4. Ms. Furness is aware of and acknowledges that she is subject to all applicable provisions of the North Dakota Rules of Professional Conduct and the Local Rules, and if admitted *pro hac vice*, will adhere to the disciplinary jurisdiction of this Court.

5. Ms. Furness's contact information is as follows:

Aimee Furness  
**HAYNES AND BOONE, LLP**  
2801 N. Harwood Street, Suite 2300  
Dallas, TX 75201  
Telephone: 214.651.5000  
Email: [aimee.furness@haynesboone.com](mailto:aimee.furness@haynesboone.com)

6. Payment of the \$150.00 admission fee is being made with this filing through the Court's Pay.gov automated payment system.

WHEREFORE, the Berg Defendants respectfully request that this court enter an order authorizing the *pro hac vice* admission of Aimee Furness, to appear on their behalf in this court in the above-referenced proceedings, and for such other and further relief as may be just.

RESPECTFULLY SUBMITTED this 28 day of October, 2024.

**HAYNES AND BOONE, LLP**

By: /s/ Aimee Furness  
Aimee Furness  
Texas State Bar No. 24026882  
2801 N. Harwood Street, Suite 2300  
Dallas, TX 75201  
Telephone: 214.651.5000  
Email: [aimee.furness@haynesboone.com](mailto:aimee.furness@haynesboone.com)

**ATTORNEYS FOR THE BERG  
DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on October 28, 2024, a true and correct copy of the foregoing pleading was served via CM/ECF to all parties authorized to receive electronic notices in this case.

/s/ Aimee Furness  
Aimee Furness

# Exhibit A

# STATE BAR OF TEXAS



*Office of the Chief Disciplinary Counsel*

October 10, 2024

Re: Ms. Aimee M. Furness, State Bar Number 24026882

To Whom It May Concern:

This is to certify that Ms. Aimee M. Furness was licensed to practice law in Texas on November 01, 2000, and is an active member in good standing with the State Bar of Texas. "Good standing" means that the attorney is current on payment of Bar dues; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension from the practice of law.

This certification expires 30 days from the date, unless sooner revoked or rendered invalid by operation of rule or law.

Sincerely,

Seana Willing  
Chief Disciplinary Counsel  
SW/web



# Exhibit B



*Appellate Division of the Supreme Court  
of the State of New York  
Third Judicial Department*

*I, Robert D. Mayberger, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that*

*Aimee M. Furness*

*was duly licensed and admitted to practice as an Attorney and Counselor at Law in all the courts of this State on March 2, 2007, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors at Law on file in this office, is duly registered with the Office of Court Administration, and according to the records of this Court is currently in good standing as an Attorney and Counselor-at-Law.*

*In Witness Whereof, I have hereunto set my hand in the City of Albany on October 10, 2024.*



*Robert D. Mayberger*

*Clerk of the Court*



*State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
Admissions Office  
P.O. Box 7350, Capitol Station  
Albany, NY 12224-0350*

*Robert D. Mayberger  
Clerk of the Court*

*[AD3AdmissionsOffice@nycourts.gov](mailto:AD3AdmissionsOffice@nycourts.gov)  
<http://www.nycourts.gov/ad3/admissions>  
(518) 471-4778*

*Anthony A. Moore  
Director of Attorney  
Admissions*

To Whom It May Concern:

An attorney admitted to practice by this Court may request a certificate of good standing, which is the only official document this Court issues certifying to an attorney's admission and good standing.

An attorney's registration status, date of admission and disciplinary history may be viewed through the attorney search feature on [the website of the Unified Court System](#).

New York State does not register attorneys as active or inactive.

An attorney may request a disciplinary history letter from the [Attorney Grievance Committee of the Third Judicial Department](#).

Bar examination history is available from the [New York State Board of Law Examiners](#).

Instructions, forms and links are available on [this Court's website](#).

Robert D. Mayberger  
Clerk of the Court

# Exhibit C



*IN THE SUPREME COURT OF THE STATE OF NEW MEXICO*

*Certificate*

STATE OF NEW MEXICO }  
                          }  
                          ss.  
SUPREME COURT        }

I, ELIZABETH A. GARCIA, Chief Clerk of the Supreme Court of the State of New Mexico, hereby certify that, upon motion for admission without examination under Rule 15-107 NMRA, **AIMEE M. FURNESS** was admitted to practice law in the Supreme Court and other courts of the State of New Mexico on **September 20, 2016**, and has at all times since been and is now an active member of the Bar of said Supreme Court in good standing.

“Good standing” means that the attorney is current on payment of State Bar dues, has complied with Minimum Continuing Legal Education requirements, and is not presently under either administrative or disciplinary suspension. No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

WITNESS, My official signature and the seal of said Court this 25th day of October, 2024.



---

Elizabeth A. Garcia  
Chief Clerk of the Supreme Court  
of the State of New Mexico

By: Jessica Gilmore  
Deputy Clerk